

Peer on Peer Abuse

(Including sexual violence and sexual harassment between children)

This policy has been written for...	All staff and students at West Heath School
Copies of this policy may be obtained from...	<ul style="list-style-type: none"> • The School web site - http://www.westheathschool.com • It is available as a hard copy on request from the school office • Hard copies for reference are filed in the staff room
Participants and consultees in the formulation of this policy were...	The Principal, Senior Leadership Team, Student Services Committee and the Trustees of the School.
Edition, Review frequency and dates	<p>Issue 1 Date written: September 2018 Date agreed and ratified by Trustees: December 2018 Date of next review: September 2019 This policy will be reviewed <u>at least</u> annually and/or following any updates to national and local guidance and procedures.</p>
Relevant statutory guidance, circulars, legislation & other sources of information are...	<p>Keeping Children Safe In Education (KCSIE) September 2018 https://consult.education.gov.uk/safeguarding-in-schools-team/keeping-children-safe-in-education/supporting_documents/Keeping%20Children%20Safe%20in%20Education%20Proposed%20Revisions.pdf</p>
The Lead Member of staff is	Vice Principal Care and Safeguarding
Definitions and key terms used in this policy...	<p>DSL (Designated Safeguarding Lead) KCSIE (Keeping Children Safe in Education)</p>
The Rationale and Purpose of this policy	This is a core policy that forms part of the induction for all staff. It is a requirement that all members of staff have access to this policy and sin to say they have read <u>and</u> understood its contents.
Appendices	No appendices are attached to this policy
Copying	No school policy is ever written in isolation. Acknowledgement of sources of advice and significant influence in the development and recording of policies at the West Heath School are noted on the front page. We request that any schools or organisations incorporating large sections of this policy without alteration should make similar appropriate acknowledgement.

Key Personnel

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Context and Definition

Peer abuse is behaviour by an individual or group, intending to physically, sexually or emotionally hurt others.

All staff should recognise that children are capable of abusing their peers. All staff should be aware of safeguarding issues from peer abuse including:

- bullying (including cyberbullying)
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- sexual violence and sexual harassment
- sexting (also known as youth produced sexual imagery); and
- initiation/hazing type violence and rituals.

This abuse can:

- be motivated by perceived differences e.g. on grounds of race, religion, gender, sexual orientation, disability or other differences
- result in significant, long lasting and traumatic isolation, intimidation or violence to the victim; vulnerable adults are at particular risk of harm

Children or young people who harm others may have additional or complex needs e.g.:

- Significant disruption in their own lives
- Exposure to domestic abuse or witnessing or suffering abuse
- Educational under-achievement
- Involved in crime

Stopping violence and ensuring immediate physical safety is the first priority of any education setting, but emotional bullying can sometimes be more damaging than physical.

School staff, alongside their Designated Safeguarding Lead and/or Deputies, have to make their own judgments about each specific case and should use this policy guidance to help.

Responsibility

Keeping Children Safe in Education (KCSIE), 2018 states that:

'Governing bodies and proprietors should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with'.

Peer on Peer abuse is referenced in the Child Protection Policy. The sensitive nature and specific issues involved with peer on peer necessitate separate policy guidance.

At West Heath School we continue to ensure that any form of abuse or harmful behaviour is dealt with immediately and consistently to reduce the extent of harm to the child, with full consideration to the impact on that individual child's emotional and mental health and well-being.

Purpose of Policy

The purpose of this policy is to explore some forms of peer on peer abuse. The policy also includes a planned and supportive response to the issues.

At West Heath School we have the following policies in place that should be read in conjunction with this policy:

Anti-Bullying

Child Protection Policy

Framework and Legislation

This policy is supported by the key principles of the Children's Act, 1989 that the child's welfare is paramount. Another key document is Working Together, 2018, highlighting that every assessment of a child, *'must be informed by the views of the child'*. (Working Together, 2018:21) This is echoed by Keeping Children Safe in Education, 2018 through ensuring procedures are in place in schools and settings to hear the voice of the child.

Abuse and Harmful Behaviour

It is necessary to consider:

- what abuse is and what it looks like
- how it can be managed
- what appropriate support and intervention can be put in place to meet the needs of the individual
- what preventative strategies may be put in place to reduce further risk of harm.

Abuse is abuse and should never be tolerated or passed off as 'banter' or 'part of growing up'.

Equally, abuse issues can sometimes be gender specific e.g. girls being sexually touched/assaulted and boys being subject to initiation/hazing type violence (KCSIE, 2016). It is important to consider the forms abuse may take and the subsequent actions required.

- Children are vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.
- Staff should not dismiss abusive behaviour as normal between young people and should not develop high thresholds before taking action.
- Staff should be aware of the potential uses of information technology for bullying and abusive behaviour between children.
- Staff should be aware of the added vulnerability of children who have been the victims of violent crime (for example mugging), including the risk that they may respond to this by abusing younger or weaker children.

The alleged perpetrator is likely to have considerable unmet needs as well as posing a significant risk of harm to other children. Evidence suggests that such children may have suffered considerable disruption in their lives, may have witnessed or been subjected to physical or sexual abuse, may have problems in their educational development and may have committed other offences. They may therefore be suffering, or be at risk of suffering, significant harm and be in need of protection. Any long-term plan to reduce the risk posed by the alleged perpetrator must address their needs.

Types of Abuse

There are many forms of abuse that may occur between peers and this list is not exhaustive. Each form of abuse or prejudiced behaviour is described in detail followed by advice and support on actions to be taken.

Physical Abuse

This may include hitting, kicking, nipping/pinching, shaking, biting, hair pulling, or otherwise causing physical harm to another person. There may be many reasons why a child harms another and it is important to understand why a child has engaged in such behaviour, including accidentally before considering the action or punishment to be undertaken.

Sexual Violence and Sexual Harassment

This must always be referred immediately to the Designated Safeguarding Lead/Deputy DSL.

The DSL/Deputy DSL will follow the DfE Guidance: Sexual violence and sexual harassment between children in schools and colleges 2018 with consideration of:

Managing internally	65.1, page 27
Early Help	65.2, page 28
MASH referral	65.3. page 28
Reporting to the police	64.4, Page 29

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Sexually harmful behaviour from children is not always contrived or with the intent to harm others. There may be many reasons why a child engages in sexually harmful behaviour and it may be just as distressing to the child who instigates it as to the child it is intended towards.

Sexually harmful behaviour may include:

- inappropriate sexual language
- inappropriate role play
- sexual touching
- sexual assault/abuse.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviour risks normalising them.

Bullying

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time. Both children who are bullied and who bully others may have serious, lasting problems.

In order to be considered bullying, the behaviour must be aggressive and include:

- *An Imbalance of Power*— children who bully use their power— such as physical strength, access to embarrassing information, or popularity—to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.

- *Repetition*: Bullying behaviours happen more than once or have the potential to happen more than once.

Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e.g. size, hair colour, gender, sexual orientation, and excluding someone from a group on purpose.

Online Bullying / Cyber bullying

Online Bullying / Cyberbullying is the use of technology (social networking, messaging, text messages, e-mail, chat rooms etc.) to harass threaten or intimidate someone for the same reasons as stated above.

Online bullying can take many forms:

- Abusive or threatening texts, emails or messages
- Posting abusive comments on social media sites
- Sharing humiliating videos or photos of someone else
- Stealing someone's online identity
- Spreading rumours online
- Trolling – sending someone menacing or upsetting messages through social networks, chatrooms or games
- Developing hate sites about another person
- Prank calls or messages
- Group bullying or exclusion online
- Anonymous messaging
- Encouraging a child to self-harm
- Pressuring children to send sexual messages or engaging in sexual conversations

Sexting

The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services.

This must always be referred immediately to the Designated Safeguarding Lead/Deputy DSLs.

The DSL/Deputy DSL will follow the UKCCIS Guidance: Sexting in Schools and colleges 2016

Initiation/Hazing

Hazing is a form of initiation ceremony which is used to induct newcomers into an organisation such as a private school, sports team etc. There are a number of different forms, from relatively mild rituals to severe and sometimes violent ceremonies. The ceremony welcomes newcomers by subjecting them to a series of trials which promote a bond between them. After the hazing is over, the newcomers also have something in common with older members of the organisation, because they all experienced it as part of a rite of passage. Many rituals involve humiliation, embarrassment, abuse, and harassment.

Prejudiced Behaviour

The term prejudice-related bullying refers to a range of hurtful behaviour, physical or emotional or both, which causes someone to feel powerless, worthless, excluded or marginalised, and which is connected with prejudices around belonging, identity and equality in wider society – for example disabilities and special educational needs, ethnic, cultural and religious backgrounds, gender, home life, (for example in relation to issues of care, parental occupation, poverty and social class) and sexual identity.

Teenage relationship abuse

Teenage relationship abuse is a pattern of actual or threatened acts of physical, sexual, and/or emotional abuse, perpetrated by an adolescent (between the ages of 13 and 18) against a current or former partner. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive teen uses this pattern of violent and coercive behaviour, in a heterosexual or same gender relationship, in order to gain power and maintain control over the partner. This abuse may be child sexual exploitation.

Expected Staff Action

Staff should consider the seriousness of the case and make a quick decision whether to inform the Designated Safeguarding Lead/Deputy DSL immediately before taking any further in-school actions.

Recognising Peer Abuse

An assessment of an incident between peers should be completed and consider:

- Chronological and developmental ages of everyone involved
- Difference in their power or authority in relation to age, race, gender, physical, emotional or intellectual vulnerability
- All alleged physical and verbal aspects of the behaviour and incident
- Whether the behaviour involved inappropriate sexual knowledge or motivation
- What was the degree of physical aggression, intimidation, threatening behaviour or bribery
- The effect on the victim
- Any attempts to ensure the behaviour and incident is kept a secret
- The child motivation or reason for the behaviour, if they admit that it occurred
- Whether this was a one-off incident, or longer in duration

It is important to deal with a situation of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts.

It is equally important to deal with it sensitively and think about the language used and the impact of that language on both the children and the parents when they become involved. Avoid language that may create a 'blame' culture and leave a child labelled.

Staff will talk to the children in a calm and consistent manner. Staff will not be prejudiced, judgmental, dismissive or irresponsible in dealing with such sensitive matters.

Taking Action

- Always take complaints seriously
- Gain a statement of facts from the pupil(s)
- Assess needs of victim and alleged perpetrator
- Consider referral to Police or Social Care
- Contribute to multi-agency assessments
- Convene a risk management meeting
- Record all incidents and all action taken

Recording Sexualised Behaviour

- Be clear, explicit and non-avoidant, and avoid vague statements or euphemisms
- Record as soon as possible, as you can quickly forget or confuse detail
- Follow the prompts on the safeguarding concerns form
- Use proper names for body parts but record exactly any language or vocabulary used by the child. Use the child's exact words in quotation marks
- Note where and when the incident happened and whether anyone else was around.

Gather the Facts

Speak to all the children involved separately, gain a statement of facts from them and use **consistent language** and **open questions** for each account.

Ask the child to tell you what happened.

Use open questions, 'where, when, why, who'. (What happened? Who observed the incident? What was seen? What was heard? Did anyone intervene?).

Do not interrogate or ask leading questions.

Consider the Intent

Has this been a deliberate or contrived situation for the child to be able to harm another?

Decide on Your Next Course of Action

If you believe any child to be at risk of significant harm you must report to the Designated Safeguarding Lead/Deputy DSL immediately; they will follow the school's Safeguarding and Child Protection Policy.

If MASH and the police intend to pursue this further, they may ask to interview the young people in school or they may ask for parents to come to school to be spoken to. It is important to be prepared for every situation and the potential time it may take.

Informing Parents/Carers

The best way to inform parents/carers is face to face. Although this may be time consuming. The nature of the incident and the type of harm/abuse a young person may be suffering can cause fear and anxiety to parents/carers whether their child is the child who was harmed or who harmed another.

Is the pupil 13+ and does not want to share with parents? Use the "Gillick" test and the "Fraser" guidelines.

<https://www.nspcc.org.uk/preventing-abuse/child-protection/system/legal-definition-child-rights-law/gillick-competency-fraser-guidelines/>

In all circumstances where the risk of harm to the child is evident then the school should encourage the young person to share the information with their parent/carer (they may be scared to tell parents/carers that they are being harmed in any way).

Points to Consider

What is the age of the children involved?

How old are the young people involved in the incident and is there any age difference between those involved?

Where did the incident or incidents take place?

Was the incident in an open, visible place to others? If so was it observed? If not, is more supervision required within this particular area?

What was the explanation of all children involved of what occurred?

Can each of the children give the same explanation of the incident and also what is the effect on the young people involved? Is the incident seen to be bullying for example, in which case regular and repetitive? Is the version of one young person different from another and why?

What is each of the children's own understanding of what occurred?

Do the children know/understand what they are doing? E.g. do they have knowledge of body parts, of privacy and that it is inappropriate to touch? Is the child's explanation in relation to something they may have heard or been learning about that has prompted the behaviour? Is the behaviour deliberate and contrived? Does the child have understanding of the impact of their behaviour on the other person?

Repetition

Has the behaviour been repeated to an individual on more than one occasion? In the same way it must be considered has the behaviour persisted to an individual after the issue has already been discussed or dealt with and appropriately resolved?

Next Steps

Once the outcome of the incident(s) has been established it is necessary to ensure future incidents of abuse do not occur again and consider the support and intervention required for those involved.

For The Child Who Has Been Harmed

What support they require depends on the individual. It may be that they wish to seek counselling or one to one support via a mentor. It may also be that they feel able to deal with the incident(s) on their own or with support of family and friends; in which case it is necessary that this young person continues to be monitored and offered support should they require it in the future. If the incidents are of a bullying nature, the child may need support in improving peer groups/relationships with other children, or some restorative justice work with all those involved may be required.

Other interventions that could be considered may target a whole class or year group for example a speaker on cyber bullying, relationship abuse etc. It may be that through the continued curriculum of PHSE and SMSC that certain issues can be discussed and debated more frequently.

If the child feels particularly vulnerable it may be that a risk assessment can be put in place for them whilst in school so that they have someone named that they can talk to, support strategies for managing future issues and identified services to offer additional support.

For The Child Who Has Displayed Harmful Behaviour

It is important to find out why the child has behaved in such a way. It may be that the child is experiencing their own difficulties and may even have been harmed themselves in a similar way. In such cases support such as one to one mentoring or counseling may also be necessary.

Particular support from identified services may be necessary through an early help referral and the child may require additional support from family members.

Once the support required to meet the individual needs of the child has been met, it is important that the child receives a consequence for their behaviour. This may be in the form of restorative justice e.g. making amends with the young person they have targeted if this has been some form of bullying. In the cases of sexually harmful behaviour it may be a requirement for the child to engage in one to one work with a particular service or agency (if a crime has been committed this may be through the police or youth offending service). If there is any form of criminal investigation ongoing it may be that this child cannot be educated on site until the investigation has concluded. In which case, the child will need to be provided with appropriate support and education elsewhere.

It may be that the behaviour that the child has displayed may continue to pose a risk to others, in which case an individual risk assessment may be required.

This should be completed via a multi- agency response to ensure that the needs of the child and the risks towards others are measured by all of those agencies involved including the child and their parents. This may mean additional supervision of the child or protective strategies if the child feels at risk of engaging in further inappropriate or harmful behaviour.

The school may also choose a punishment as a consequence such as exclusion or internal exclusion/inclusion/seclusion for a period of time to allow the child to reflect on their behaviour.

After Care

It is important that following the incident the children involved continue to feel supported and receive help even if they have stated that they are managing the incident. Sometimes the feelings of remorse, regret or unhappiness may occur at a much later stage than the incident. It is important to ensure that the young people do not engage in any further harmful behaviour either towards someone else or to themselves as a way of coping (e.g. self-harm). For this reason, regular reviews with the young people following the incident(s) are imperative.

Preventative Strategies

Peer on peer abuse can and will occur on any site even with the most robust policies and support processes. It is important to develop appropriate strategies to proactively prevent peer on peer abuse.

This school has an open environment where children feel safe to share information about anything that is upsetting or worrying them. There is a strong and positive PHSE/SMSC curriculum that tackles such issues as prejudiced behaviour and gives children an open forum to talk things through rather than seek one on one opportunities to be harmful to one another.

Staff will not dismiss issues as 'banter' or 'growing up' or compare them to their own experiences of childhood. Staff will consider each issue and each individual in their own right before taking action.

Children are part of changing their circumstances and, through student council for example, we encourage children to support changes and develop 'rules of acceptable behaviour'. We involve students in the positive ethos in school; one where all children understand the boundaries of behaviour before it becomes abusive.

Where To Go For Further Information

DfE: Statutory guidance: Working together to safeguard children 2018
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

DfE: Statutory guidance: Keeping children safe in education 2018
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

DfE Guidance: Sexual violence and sexual harassment between children in schools and colleges 2018
<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>

DfE: Searching, screening and confiscation at school
<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

UKCCIS: Sexting
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/609874/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf

Preventing and Tackling Bullying 2017
<https://www.gov.uk/government/publications/preventing-and-tackling-bullying>

DfE: Statutory guidance School Exclusion
<https://www.gov.uk/government/publications/school-exclusion>

DfE: Relationship and Sex Education
Current guidance
<https://www.gov.uk/government/publications/sex-and-relationship-education>
Draft for September 2020
https://consult.education.gov.uk/pshe/relationships-education-rse-health-education/supporting_documents/Final%20DRAFT.%20JULY%202018_Relationships%20Education_RSE_Health%20Educ..%20002.pdf

DfE: Behaviour and discipline in schools
<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

DfE: Children Missing Education
<https://www.gov.uk/government/publications/children-missing-education>

DfE: Cyberbullying: Advice for headteachers and school staff
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/374850/Cyberbullying_Advice_for_Headteachers_and_School_Staff_121114.pdf

DfE: Mental health and behaviour in schools
<https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2>

UKCCIS: Tackling race and faith targeted bullying face to face and online
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/660675/Tackling_race_and_faith_targeted_bullying_face_to_face_and_online_-_a_guide.pdf

Brook Traffic Light Tool

<https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool>

Gov.uk: Equality Act 2010: advice for schools

<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

Equality and Human Rights Commission: Public Sector Equality Duty Guidance for Schools in England

<https://www.equalityhumanrights.com/en/publication-download/public-sector-equality-duty-guidance-schools-england>

Key messages from research on children and young people who display harmful sexual behaviour (PDF)

https://www.csacentre.org.uk/index.cfm/_api/render/file/?method=inline&fileID=E2C17C42-5084-47CC-902E94451079C6B6

NSPCC: Harmful sexual behaviour

framework https://www.nspcc.org.uk/services-and-resources/research-and-resources/2016/harmful-sexual-behaviour-framework/?utm_source=Adestra&utm_medium=email&utm_content=NSPCC%3A%20Harmful%20sexual%20behaviour%20framework&utm_campaign=caspar-newsletter